

HOFFMANN & ASSOCIATES  
Attorneys at Law  
450 Seventh Avenue, Suite 1400  
New York, New York 10123  
Tel. (212) 679-0400  
Fax (212) 679-1080

ANDREW S. HOFFMANN\*

TRAMD.LOPRESTO

\*Admitted in New York and Ohio

May 12, 2014

**Via ECF**

Richard J. Sullivan, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 640  
New York, New York 10007

Re: Azkour v. Little Rest Twelve, Inc., et al.  
Index No. 10 Civ. 4132 (RJS)(KNF)

Dear Judge Sullivan,

As the Court is aware, we represent defendants in the above-captioned matter.

We write to the Court concerning the Order entered by the Court today granting plaintiff's motion for reconsideration and his motion for the appointment of pro bono counsel.

First, with respect to the motion for reconsideration, defendants opposition papers, *inter alia*, requested that the Court order that documents sealed by the Court at plaintiff's request in its prior Order (Docket No. 86) be made available to defendants for their review and use at trial. We also respectfully requested that the Court order Mr. Azkour to complete and execute HIPAA authorization forms we previously submitted to the Court which will permit counsel for the defendants to obtain relevant reports, findings, diagnoses and other documents concerning plaintiff's mental condition during the putative back pay period. As the Court is aware, this is directly relevant to the issues to be tried before a jury in July. With this letter, we respectfully renew these requests, which are necessary and material for defendants' preparation for the upcoming jury trial.

With respect to the Court's decision to request an attorney to volunteer to represent Mr. Azkour, defendants wish to advise the Court of their grave concern that a new attorney entering the case will delay the July 2014 trial date scheduled by the Court. Defendants have already made arrangements with its witnesses, some of whom currently work in unrelated jobs to be available for trial in July. Defendants would be seriously prejudiced and disadvantaged if the introduction of new counsel were to delay the scheduled July trial date. Accordingly, we respectfully request that the Court modify its May 12, 2014 Order to provide that the introduction of pro bono counsel will not be grounds for nor will it occasion a delay in the July 2014 trial date scheduled for this case.

Respectfully submitted,



Andrew S. Hoffmann

cc: Hicham Azkour